

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

VS.

**PRESTON GILLAM,
Defendant.**

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NO. 17-CR-00330-01

**MOTION TO CONTINUE SENTENCING DATE
AND REQUEST TO FILE PSR OBJECTIONS OUT OF TIME**

Comes now David A. Kelly and the Law Firm of Kelly, Symonds & Reed, LLC, and hereby moves this Honorable Court for an Order continuing the sentencing date in the instant case and also an order allowing the Defendant to file additional and/or amended PSR objections out of time. In support of said motion, the Defendant offers the following suggestions in support:

Suggestions in Support

1. The Defendant, Preston Gillam, was charged by way of Complaint in the instant case on October 2, 2017. Mr. Gillam was detained pending Indictment and Arraignment. Mr. Gillam was thereafter indicated with Possession of Methamphetamine with Intent to Distribute in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A). Mr. Gillam thereafter retained private counsel based out of St. Louis (Mr. Gillam's hometown is Sullivan, Missouri).

2. Mr. Gillam pled guilty to this Court on March 21, 2018. A draft PSR was prepared and objections were filed on Mr. Gillam's behalf. The final PSR has now been issued.
3. On or about June 14, 2018 the Defendant, Preston Gillam, hired undersigned counsel with the express purpose that undersigned counsel take over as lead attorney on the case.
4. Undersigned counsel has now had an opportunity to speak to counsel for the government and the probation department. Sentencing is presently set for July 26, 2018.
5. The Defendant hereby requests that the sentencing date of July 26, 2018 be continued at least sixty (60) days so that the Defendant may fulfill his obligations under the terms of the plea agreement, both written and otherwise. In addition, the Defendant has asked undersigned counsel to review the objections filed by previous counsel and file additional objections or otherwise amend and revise the PSR objections presently on file. As a result, the Defendant is also requesting that the Court allow Defendant to file objections and/or amendments to the PSR objections already on file and give undersigned counsel thirty(30) days in which to do so to facilitate client meetings and review of any PSR objections and or amendments.
6. The Defendant has discussed these requests with counsel for the government and the government has indicated no objections to the instant requests.

WHEREFORE, the Defendant by and through newly retained counsel requests that this Honorable Court continue Defendant's sentencing date from the present sentencing date of July 26, 2018 to a date and time to be determined by the Court and the parties at least sixty (60) days

from the current sentencing date and that Defendant be allowed an additional thirty (30) days in which to file and/or amend PSR objections and for any and all other relief this Court may deem just and appropriate upon these premises.

Respectfully submitted,

/S/ DAVID A. KELLY

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ATTORNEY FOR DEFENDANT

CERTIFICATE REGARDING SERVICE

I hereby certify that it is my belief and understanding that counsel for plaintiff as well as all counsel for co-defendants are participants in the Court's CM/ECF program and that separate service of the foregoing document is not required beyond the Notification of Electronic Filing to be forwarded to counsel for plaintiff upon the filing of the foregoing document.

/s/ David A. Kelly

David A. Kelly